

**CITY OF IONIA
CITY COUNCIL
MEETING MINUTES
DECEMBER 5, 2006
CITY HALL
COUNCIL CHAMBERS**

CALL TO ORDER

Deputy Mayor Patrick called the regular meeting of the City Council to order at 7:02 PM and led the Pledge of Allegiance.

ROLL CALL

Roll call revealed Councilmembers Jim Smith, Jeff Winters, Gordon Kelley, Kim Patrick, Bruce Roetman, and Bob O'Mara present. Councilmember Monica Miller arrived 7:12 PM. Mayor Dan Balice and Councilmember Brenda Cowling-Cronk were excused.

Staff present included Jason Eppler, Larry Harvey, Chris Kenyon, Gary Cunningham, Robin Marhofer, Matt Painter, Dave Bulling and Lynn Lafler.

OPEN PUBLIC HEARING – Amendment to City Code – Housing Commission

Deputy Mayor Patrick opened the Public Hearing on the Amendment to the City Code regarding the Housing Commission (Ordinance No. 441).

PUBLIC COMMENTS AND INFORMATION

Brian Whitsett from the Michigan State Police (Region 6 EMD Coordinator) presented Public Safety Officer Doug DeVries with his Professional Emergency Manager Certificate. Mr. Whitsett explained the criteria for receiving this certification and explained that Officer DeVries serves as Chairman of the Region 6 Emergency Management Planning Team. City Manager Eppler acknowledged Officer DeVries' contributions to the City and his role in coordinating the City's emergency management efforts.

MONITORING INFORMATION

City Manager Eppler reviewed the monitoring information which included the following:

- A. Approve the minutes from the regular City Council meeting of November 8, 2006.
- B. Acknowledge the minutes from the City of Ionia Downtown Development Authority meeting of November 15, 2006.
- C. Acknowledge the minutes from the City of Ionia Planning Commission meetings of November 16, 2006 and November 27, 2006.
- D. Approve the payroll for the pay period ending November 1, 2006 in the amount of \$118,868.69, for the payroll period ending November 15, 2006 of \$115,829.60 and for the payroll period ending November 29, 2006 in the amount of \$119,578.33.
- E. Acknowledge the Accounts Payable for the Ionia Theatre for November, 2006 in the amount of \$10,575.10.

- F. Acknowledge the Accounts Payable for the DDA for November, 2006 in the amount of \$2,141.54.
- G. Approve the Accounts Payable for the City of Ionia for November, 2006, in the amount of \$447,503.59.

After review, it was moved by Councilmember Patrick, seconded by Councilmember Roetman to approve and place on file the monitoring information.

Roll Call Vote: Ayes: Smith, Winters, Kelley, Miller, Patrick, Roetman and O'Mara
 Nays: None

Motion Carried.

CLOSE PUBLIC HEARING – Amendment to City Code – Housing Commission

Deputy Mayor Patrick closed the Public Hearing.

BOARD DECISIONS AND ACTION ITEMS

B#1 – Presentation by Ionia Community Library – Library Millage Proposal

Ionia Community Library Director Heidi Nagel and Library Board Trustee Janet Powell were present to present to Council the library's most recent annual report and to update Council on efforts to secure a millage to construct and operate a new library.

Highlights of their presentation included the following:

Annual Report: Last year 92,000 items were checked out of the library, 17,000 of which had to be borrowed from other libraries.

59,000 people used the library last year.

39% of library cardholders are City residents

34% of the library's revenue is attributable to the City of Ionia

Millage Proposal: Library request will be on the May 8, 2007 ballot

Proposal is scaled back by 50% - original proposal in 2005 was for a \$7.5 million facility. New project cost is \$4.5 million

Library will be requesting .8 mills for library debt service on the new facility and to renovate the Hall-Fowler Library building and .4 mills for operation and maintenance. The 30 year blended is 1.00 mill.

Deputy Mayor Patrick thanked the Library's representatives for the presentation.

B#2 – Presentation by Girl Scouts – Revised Gov. Green Park Project

Earlier this year representatives of the local Girl Scout troop appeared before Council to present their plans for locating a portable classroom at Governor Green Park on East Main Street. The troop recently decided to alter their plans and instead propose the installation of playground equipment at the Park. They also plan to clean-up the beach area.

Representatives of the troop presented their revised proposal to Council. After review, it was moved by Councilmember Patrick, seconded by Councilmember Miller to approve the revised Girl Scout project for Gov. Green Park.

Roll Call Vote: Ayes: Winters, Kelley, Miller, Patrick, Roetman, O'Mara and
 Smith
 Nays: None

Motion Carried.

B#3 – City Code Amendment – Housing Commission #441

Ordinance No. 441 proposes minor changes to the Housing Commission ordinance that, if approved, will make the ordinance consistent with how the Commission currently operates. The required Public Hearing on the amendment was held earlier in the Council Meeting.

It was moved by Councilmember Winters, seconded by Councilmember Roetman to remove from the table the matter of Ordinance No. 441 and permit the record of the December 5, 2006 meeting minutes to reflect the second reading and adoption of Ordinance No. 441 regarding the Housing Commission with the ordinance effective upon publication in the December 10, 2006 edition of the *Sentinel-Standard*.

CITY OF IONIA

Ordinance No. 441

AN ORDINANCE TO AMEND SECTIONS 278.02, 278.03, 278.04 AND 278.07 OF THE CODIFIED ORDINANCES OF THE CITY OF IONIA

THE CITY OF IONIA ORDAINS:

Section 278.02 MEMBERSHIP; COMPENSATION; EXPENSES is amended to read as follows:

278.02 MEMBERSHIP; COMPENSATION; EXPENSES.

In accordance with Section 4 of Act 18 of the Public Acts of 1933 (Ex. Sess.), as amended, the City Housing Commission shall consist of five members to be appointed by the Mayor with the approval of the City Council. Members are not required to be residents of the City. Each of said members shall serve for a term of five years and until

his or her successor shall be appointed for staggered terms. Members shall serve without compensation, but shall be reimbursed for any actual and necessary expenses incurred in the performance of their duties.

Section 278.03 MEETINGS; RULES; RECORD: QUORUM; OFFICERS AND EMPLOYEES is amended to read as follows:

278.03 MEETINGS; RULES; RECORD; QUORUM; OFFICERS AND EMPLOYEES.

The City Housing Commission shall meet at regular intervals, said meetings to be public. It shall adopt its own rules of procedure, and shall keep a record of the proceedings. Three members shall constitute a quorum for the transaction of business. A President and Vice-President shall be elected by the Commission. The Commission may appoint a Director who may also serve as Secretary, and such other employees or officers as shall be necessary. The Commission shall prescribe the duties of all of its officers and employees and may, ~~with the approval of the appointing authority,~~ fix their compensation. The Commission may, from time to time as necessary, employ engineers, architects and consultants.

Section 278.04 POWERS AND DUTIES is amended to read as follows:

278.04 POWERS AND DUTIES.

The City Housing Commission shall have the following powers and duties:

(a) To determine in what areas of the City it is necessary to provide proper sanitary housing facilities for families of low income and for the elimination of housing conditions which are detrimental to the public peace, health, safety, morals and/or welfare.

(b) To purchase, lease, sell, exchange, transfer, assign and mortgage any property, real or personal, or any interest herein, or acquire the same by gift, bequest or under the power of eminent domain; to own, hold, clear and improve property; to engage in or to contract for the design and construction, reconstruction, alteration, improvement, extension, and/or repair of any housing project or projects or parts thereof; to lease and/or operate any housing project or projects.

(c) To control and supervise all parks and playgrounds forming a part of such housing development, but may contract with existing departments of the City for operation or maintenance of either or both.

(d) To establish and revise rents of any housing project or projects, but shall rent all property for such sums as will make them self-supporting, including all charges for maintenance and operation, for principal and interest on loans and bonds, and for taxes.

(e) To rent only to such tenants as are unable to pay for more expensive housing accommodations.

(f) To call upon other City departments for assistance in the performance of its duties, but said departments shall be reimbursed for any added expense incurred therefor.

(g) Such other powers relating to said housing facilities project as may be prescribed by ordinance or resolution of the ~~governing body of the City~~ Council or as may be necessary to carry out the purposes of the Act.

Section 278.07 DEEDS; CONTRACTS; LEASES AND PURCHASES is amended to read as follows:

278.07 DEEDS, CONTRACTS, LEASES AND PURCHASES.

All deeds, contracts, leases or purchases entered into by the ~~City~~ Housing Commission shall be in the name of the ~~City and shall be approved by the City Council.~~ Housing Commission. ~~Contracts for the purchase of necessary materials costing less than one thousand dollars (\$1,000) and leases with tenants and options need not be so approved.~~

Roll Call Vote: Ayes: Kelley, Miller, Patrick, Roetman, O'Mara, Smith and Winters
Nays: None

Motion Carried.

B#4 – Request from Ionia Public School System – Waiver of Fee – METRO Permit

The City has received a request from Ionia Public School System to waive the fee (\$500 application fee) and related bond/letter of credit requirements associated with securing a METRO Permit in accordance with the City Code. The School System is proposing the installation of a fiber optic line between school buildings that will be used for phone, e-mail, distance learning and to meet other voice/data/video needs. The School District will be hanging the fiber optic cables from poles owned by Consumers Energy which are located within the City's rights-of-ways. The project will be paid for with bond proceeds.

It was moved by Councilmember Roetman, seconded by Councilmember O'Mara to grant the request from the Ionia Public School System and waive the payment of the application fee required by Section 812.04 (d) of the City Code and the posting of a performance bond or letter of credit as required by Section 812.05 (d) of the Telecommunications Rights-of-Way Chapter of the City Code.

Roll Call Vote: Ayes: Miller, Patrick, Roetman, O'Mara, Smith, Winters and Kelley
Nays: None

Motion Carried.

B#5 – Transfer of Liquor License – Cat Lanes

The City has received a request from Skoog Entertainment LLC for local approval of the transferring of the 2006 Class C Liquor License and dance permit from Cat Entertainment Corporation to Skoog Entertainment LLC. Skoog Entertainment LLC is also requesting from the State a new entertainment permit. The license pertains to Cat Lanes located at 420 North Dexter Street. Prior to the Michigan Liquor Control Commission reviewing the request local legislative approval is required.

It was moved by Councilmember Smith, seconded by Councilmember Patrick to adopt the following prepared Resolution:

RESOLVED that the request to transfer ownership of a 2006 Class C liquor license and dance permit, located at 420 North Dexter Street, in the City of Ionia and County of Ionia from Cat Entertainment Corporation to Skoog Entertainment, LLC and the issuance of a new entertainment permit to Skoog Entertainment LLC be approved.

Roll Call Vote: Ayes: Patrick, Roetman, O'Mara, Smith, Winters, Kelley and Miller
 Nays: None

Motion Carried.

B#6 – City Code Amendment – Outdoor Boilers – Ordinance No. 442

At the September 5th meeting, Council accepted the recommendation of the Planning Commission and enacted a 120 day moratorium on the placement or installation of any new outdoor boilers in the City in order to provide the Commission with time to determine if the City should prohibit or regulate outdoor boilers. As a result of the research conducted by the Planning Commission, the Commission has recommended Ordinance No. 442 which, if approved, will prohibit outdoor boilers from being placed in the City but for those fired with shelled corn, subject to conditions. The Planning Commission conducted the required Public Hearing on the amendment and is recommending adoption by the City Council.

Councilmember Kelley made a motion to approve the ordinance on first reading and schedule the Public Hearing. The motion died for lack of support.

Deputy Mayor Patrick reviewed his list of concerns with permitting corn boilers in the City and requested that the matter be referred back to the Planning Commission for further investigation. Several other Councilmembers expressed concerns that they felt needed to be addressed.

It was moved by Councilmember Kelley, seconded by Councilmember Roetman to extend the moratorium on the installation or placement of new outdoor boilers in the City for an additional 60 days (new expiration date of March 5, 2007) and refer the matter of

regulating outdoor boilers in the City back to the Planning Commission for further review.

Roll Call Vote: Ayes: Roetman, O'Mara, Smith, Winters, Kelley, Miller and Patrick
 Nays: None

Motion Carried.

City Manager Eppler stated that the next meeting of the Planning Commission is December 13, 2006. He suggested that Councilmembers get their questions to him as soon as possible so the Commission can begin its review.

B#7 – City Code Amendment – Public Notification Requirements (Zoning) – Ordinance No. 443

On July 1, 2006, the new Michigan Zoning Enabling Act went into effect. This new act combines all of the past zoning enabling acts into one act that cities, villages, townships and counties must follow. One of the goals of the Legislature was to create uniformity in the zoning regulations between cities, villages, townships and counties. Due to the new act, there are several changes that the City must make to its Zoning Ordinance. One of the changes necessary is to revise the public notification process for the different types of approvals that are sought pursuant to the Zoning Ordinance. The goal is to provide more advanced notice to the public about zoning related requests. The Planning Commission, after Public Hearing, has recommended that Ordinance No. 443 be adopted which incorporates the new public notification requirements into the Zoning Chapter of the City Code.

It was moved by Councilmember Kelley, seconded by Councilmember Winters to permit the record of the December 5, 2006 Council Meeting to reflect the introduction and first reading of Ordinance No. 443 pertaining to public notification requirements associated with the Zoning Ordinance and schedule a Public Hearing on the amendment for 7:00 PM, Tuesday, January 2, 2007 in the Council Chamber of City Hall.

Roll Call Vote: Ayes: O'Mara, Smith, Winters, Kelley, Miller, Patrick and Roetman
 Nays: None

Motion Carried.

B#8 – City Code Amendment – Abandoned Vehicles – Ordinance No. 444

In order to streamline the process for removing junk or abandoned vehicles in the City, it is necessary to amend the City Code and revise the process. Staff has proposed Ordinance No. 444 which will incorporate the streamlined process into the City Code. The amendment also addresses some changes needed to the City Code regarding front yard parking and curfew.

It was moved by Councilmember Kelley, seconded by Councilmember Winters to permit the record of the December 5, 2006 Council Meeting to reflect the introduction and first reading of Ordinance No. 444 pertaining to curfew regulations, junk and abandoned vehicles and front yard parking and schedule a Public Hearing on the amendment for 7:00 PM, Tuesday, January 2, 2007 in the Council Chamber of City Hall.

Roll Call Vote: Ayes: Smith, Winters, Kelley, Miller, Patrick, Roetman and
 O'Mara
 Nays: None

Motion Carried.

B#9 – FY06-07 Budget Amendments

City Manager Eppler stated that he and the Finance Director had recently reviewed the City's financial reports for the first third of the fiscal year and felt that certain adjustments to the revenues and expenditures of particulars funds are necessary. He proposed that the following amendments be approved:

GENERAL FUND

Revenues		Adopted	Amended	Difference
101-000-000-425.000	Income Tax Revenues	\$1,657,887	\$1,560,000	(\$97,887)
101-000-000-445.000	Penalties & Interest	\$17,800	\$60,000	\$42,200
101-000-000-501.000	Summer Lunch Program	\$0	\$7,000	\$7,000
101-000-000-569.000	State Grant – Home Sec.	\$0	\$22,000	\$22,000
101-000-000-569.420	Fire Prevention Grant	\$120,000	\$90,000	(\$30,000)
101-000-000-674.000	State Shared Revenues	\$937,390	\$915,000	(\$22,390)
101-000-000-627.000	Charges for IT Services	\$320,557	\$350,557	\$30,000
101-000-000-688.000	Other Revenue	\$6,200	\$13,000	\$6,800
101-000-000-699.297	Cont –Sick Pay Reserve	\$0	\$343.57	\$343.57
101-000-000-699.804	Chamber Contribution	\$89,732	\$51,000	(\$38,732)
	TOTAL	\$4,287,894	\$4,207,228.57	(\$80,665.43)

EXPENDITURES

101-101-000-880.000	Employee Chris. Party	\$2,500	\$650	(\$1,850)
101-201-000-980.000	Acctg – Capital Outlay	\$4,300	\$1,300	(\$3,000)
101-204-000-702.000	Front Office Salaries	\$71,700	\$60,000	(\$11,700)
101-210-000-801.000	Legal – Council Mtg	\$40,000	\$38,100	(\$1,900)
101-212-000-801-000	Grant Activity	\$3,800	\$12,700	\$8,900
101-248-000-736.000	Employee Chris. Party	\$2,200	\$350	(\$1,850)
101-248-000-702.000	Chamber Salaries	\$60,500	\$45,000	(\$15,500)
101-345-000-702.001	Public Safety Salaries	\$1,057,491	\$1,0441,991	(\$12,500)
101-345-000-702.007	Employee Payout	\$38,092	\$85,192	\$47,100
101-345-000-801.000	MPSCS Radio Fees	\$51,500	\$46,000	(\$5,000)
101-345-000-860.420	Fire Prevention Grant	\$120,000	\$90,000	(\$30,000)
101-880-000-715 to 959	Fringe Benefits	\$992,189	\$944,257	(\$47,932)
	TOTAL	\$4,275,403	\$4,199,671	(\$75,732)

BROWNFIELD FUND

Revenues				
247-000-000-430.000	Tax Increment Financing	\$0	\$19,000	\$19,000
Expenditures				
247-558-000-801.000	Cont/Prof – Austin Pines	\$0	\$19,000	\$19,000

DOWNTOWN DEVELOPMENT AUTHORITY

Revenues

248-000-000-430.000	TIF Revenues	\$1,340,000	\$1,333,000	(\$7,000)
248-000-000-690.000	Proceeds from Note	\$0	\$125,000	\$125,000
	TOTAL	\$1,379,700	\$1,497,700	\$118,000

Expenditures

248-558-000-702.000	Salaries	\$0	\$37,188	\$37,188
248-558-000-710.000	Fringe Benefits	\$0	\$13,878	\$13,878
248-558-000-851.000	Telephone	\$600	\$1,050	(\$450)
248-558-000-980.000	Capital Outlay	\$0	\$6,000	\$6,000
248-558-000-985.000	Deficit Elimination	\$200,950	\$145,784	(\$55,166)
248-558-000-801.000	Contracted Services	\$86,800	\$37,600	(\$31,200)
248-558-000-934.000	Lease Expense	\$3,600	\$3,300	(\$300)
248-600-000-740.000	DDA Main. Op Supplies	\$1,250	\$3,600	(\$2,350)
248-610-000-971.000	Purchase of Bldg	\$0	\$139,800	\$139,800
248-610-000-972.000	Promotions/Fireworks	\$22,500	\$27,500	\$5,000
	TOTAL	\$1,379,700	\$1,497,700	\$118,000

RECREATION FUND

Revenues

Reduce from Fund Balance		\$23,063	\$10,563	(\$12,500)
	TOTAL	\$305,653	\$293,153	(\$12,500)

Expenditures

249-536-000-702.009	Part Time Salaries	\$7,600	\$3,500	(\$4,100)
249-536-000-860.000	Transpo/Training	\$1,000	\$750	(\$250)
249-755-000-931.000	Armory Bldg Repair	\$4,900	\$2,900	(\$2,000)
249-755-000-980.000	Park Capital Outlay	\$15,000	\$8,850	(\$6,150)
	TOTAL	\$305,653	\$293,153	(\$12,500)

THEATRE

Revenues

250-000-000-569.000	State Grant	\$0	\$100,000	\$100,000
	TOTAL	\$352,380	\$452,380	\$100,000

Expenditures

250-442-000-980.000	Bldg Renovation	\$0	\$100,000	\$100,000
	TOATL	\$387,712	\$487,712	\$100,000

SICK PAY RESERVE

297-965-000-999.101	Cont to General Fund	\$0	\$344	\$344
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DIAL-A-RIDE

Revenue

588-000-000-569.400	State Grant - COA	\$18,193	\$21,000	\$2,807
	TOTAL	\$789,666	\$792,473	\$2,807

Expenditure

588-570-000-807.400	COA Program	\$18,193	\$21,000	\$2,807
	TOTAL	\$804,156	\$806,963	\$2,807

SEWER FUND

Expenditure

590-558-000-801.000	Cont/Prof Services	\$21,000	\$28,500	\$7,500
	TOTAL	\$3,034,176	\$3,041,676	\$7,500

WATER FUND

Expenditure

591-558-000-801.000	Cont/Prof Services	\$56,000	\$71,000	\$15,000
	TOTAL	\$3,058,565	\$3,073,565	\$15,000

SEWAGE DISPOSAL SYSTEM FUND

Expenditure

591-558-000-801.000	Cont/Prof Services	\$10,000	\$17,500	\$7,500
	TOTAL	\$1,973,990	\$1,981,490	\$7,500

It was moved by Councilmember Patrick, seconded by Councilmember Smith to approve Fiscal Year 06-07 budget amendments as recommended by the City Manager in his staff report dated November 28, 2006 and direct the City Treasurer to make the necessary adjustments to the City's financial reports.

Roll Call Vote: Ayes: Winters, Kelley, Miller, Patrick, Roetman, O'Mara and Smith
 Nays: None

Motion Carried.

INCIDENTAL INFORMATION

Councilmembers to approve accounts payable for December 7, 2006, Kim Patrick and/or Jim Smith; December 21, 2006, Gordon Kelley and/or Jeff Winters.

INFORMATION OR ACTION ON LEGAL MATTERS

None

INFORMATION FROM MAYOR AND CITY COUNCIL

Deputy Mayor Patrick recognized the high school students in attendance at the meeting and also acknowledged their recent accomplishments.

Councilmember Roetman wished everyone a Merry Christmas

ADJOURNMENT

Upon a motion by Councilmember Smith, seconded by Councilmember Winters, the meeting was adjourned at 8:08 PM. MOTION CARRIED.

Respectfully Submitted,

Jason Eppler
City Manager/Recording Secretary